REMARKS

Claims 1-42 and 46-48, 51, 52, and 54-60 are all the claims pending in the application.

By this amendment, Applicant cancels claims 43-45, directed to the non-elected subject matter,

without prejudice or disclaimer. In addition, Applicant cancels claims 49, 50, and 53. Applicant

amends claims 1, 15, 29, and 46 to further clarify the invention and claims 10-13, 24-26, 38-40,

47, 48, 51, 52, 55, and 56 only for conformity with the independent claims.

I. Statement of Substance of the Interview

Applicant thanks the Examiner for the courteous telephonic interview on February 1,

2005. An Examiner's Interview Summary Record (PTO-413) was attached to the Final Office

Action mailed on February 8, 2005. The PTO-413 requires applicant to file a Statement of

Substance of the Interview. The Statement of Substance of the Interview is as follows:

During the Interview, which took place on February 1, 2005 and not on January 2, 2005,

independent claims 1 and 46 were discussed in view of Zerber. The Examiner indicated that the

claims are unclear. Specifically, with respect to claim 1, the Examiner indicated that it is unclear

whether a single user selection would result in a display of a plurality of applets, and with respect

to claim 46. The Examiner also indicated that since each applet may be executed in a separate

browser window, each applet of Zerber has its own separate window. Accordingly, in order to

clarify the claims, Applicant amends claims 1, 15, 29, and 46. However, it is respectfully

submitted that the claims are patentable without the amendments.

It is respectfully submitted that independent claims 1, 15, 29, and 46 are patentably

distinguishable from Zerber, as explained in greater detail below.

II.   Claims Rejections under 35 U.S.C. § 102

Claims 1, 10-12, 14, 15, 24-26, 28, 29, 38-40, 42, and 46-56 are rejected under 35

U.S.C. § 102(e) as being anticipated by Zerber. Applicant respectfully traverses this rejection in

view of the following comments.

Claims 1, 15, 29, and 46

Independent claim 1 recites "generating separate windows within a main applet for each

selected applet; and the main applet executing each applet in a separate window." The Examiner

asserts that Zerber discloses the above recited unique features of claims 1.

For example, in an illustrative, non-limiting embodiment, a WebTop is a dynamic

environment in which applets can run, (¶¶ 37 and 46-48 of the specification). The WebTop is an

applet that allows other applets to run inside of it, and is not related to providing any direct

applet to applet communication environment. Each applet added to WebTop runs inside its own

window that can be moved, resized, minimized or closed. It has a menu of applets that are

available to run and the ability to scan other web pages and add any found applets to the

repository of available applets, (¶¶ 55-62 of the specification).

Zerber allows for presentation of more than one applet, but defined on different pages

and combined using a frameset (which is a well defined HTML tag and provided for this very

purpose). Zerber, however, does not teach or suggest displaying an applet within an applet.

Although, Zerber provides a mechanism for communication between applets, Zerber does not

disclose generating separate windows within a main applet for each selected applet, or the main

applet executing each applet in a separate window, as required by claim 1. Zerber discloses only

that when the user selects to view or read a message, the mail applet 46 opens the view page 44.

The view page 44, not the mail applet 46, includes a view applet 50. Similarly, when the user selects to compose, reply to, or forward a message, the mail applet 46 opens the compose page 42. The compose page 42, not the mail applet 46, includes a compose applet 48 (see col. 3, lines 1 to 28).

It is clear from the recited passages, that Zerber discloses only that when a user selects a certain function, e.g., to view or read a message, a page that includes a corresponding applet is opened. Zerber, however, fails to disclose having the main applet execute each of the plurality of applets in a separate window. It is respectfully submitted that in Zerber, an application program communicates with an operating system to open a page that contains an applet. That is, in Zerber it is the web browser (an application program) that generates windows and not an applet.

Similarly, each applet is displayed in its own HTML window, such as the compose page which includes a compose applet (see col. 3, lines 1 to 28). Zerber, however, does not teach or suggest generating separate windows within the main applet for each selected applet. That is, in Zerber, each applet is displayed in its own window of the application program that communicates directly with the operating system. Zerber does not disclose displaying an applet within the main applet that would communicate with an applet containing device and not the operating system.

In short, it is respectfully submitted that Zerber does not teach or suggest generating separate windows within a main applet for each selected applet; and the main applet executing each applet in a separate window, as recited in claim 1. Claims 15, 29 and 46 require similar

14

limitations. Since Zerber fails to disclose the above-recited features, it is respectfully submitted

that Zerber does not anticipate independent claims 1, 15, 29, and 46, or the claims that depend

therefrom.

In addition, claim 46 recites "opening a viewer to display a list of applets; a user selecting

from the list at least two applets; transmitting the user selection of the at least two applets to an

application executing the selected applets." Zerber does not teach or suggest displaying a list of

applets, as well as transmitting the user selection of a number of applets.

The Examiner asserts that Zerber discloses receiving user selection of a plurality of

applets (see pages 2-3 of the Office Action, at col. 3, lines 1 to 28). However, that portion of

Zerber merely recites:

> The web browser 38 can generate a main mail page
> 40, a compose page 42, and a view page 44. In
> preferred embodiments, the pages 40, 42, and 44 are
> HTML pages and each page 40, 42, 44 includes a
> Java.TM. applet. A mail applet 46, a compose
> message applet 48, and a view applet 50 run in
> pages 40, 42, 44, respectively, to display
> information in their respective pages 40, 42, 44.
> The mail applet 46 causes the web browser 38 to
> display portions of the main mail page 40, which
> provides access to various mail box features, such
> as an inbox of messages, a message log of sent
> messages, drafts of messages not sent, a message
> composition template, etc. The mail applet 46
> further creates a thread to run a local Hyper Text
> Transport Protocol (HTTP) server 52. The compose
> applet 48, which runs in the compose page 42,
> causes the web browser 38 to display portions of
> the compose page 42, which provides a template to
> compose new messages, and reply to and forward
> received messages. The view applet 50, which runs
> in the view page 44, causes the web browser 38 to
> display portions of the view page 44 in which the
> user may read and view the content of messages.
>
> In preferred embodiments, the mail applet 46 is

> executed first to display the main mail page 40
> including various mail box features. When the user
> selects to view or read a message, the mail applet
> 46 opens the view page 44, which includes the view
> applet 50. Similarly, when the user selects to
> compose, reply to or forward a message, the mail
> applet 46 opens the compose page 42, which includes
> the compose applet 48. In this way, in preferred
> embodiments, the applets and web pages are only
> loaded when needed. (emphasis added)

It is clear from the recited passages, that the cited portion of Zerber discloses only that when a user selects a certain function, *e.g.*, to view or read a message, a page that includes a corresponding applet is opened. Zerber, however, fails to disclose transmitting user selection of a plurality of applets. Zerber discloses only opening a single page that may include an applet when the user selects a certain functionality. There is no teaching or suggestion that the system of Zerber transmits the user selection of a plurality of applets.

The Examiner alleges that the purpose of the user selection, i.e. to perform a certain functionality, is irrelevant, and that Zerber discloses that a user makes a selection and from this selection a plurality of applets are displayed (*see* pages 5 and 6 of the Office Action). Applicant respectfully submits, however, that the independent claim 46 recites: "transmitting...user selection of plurality of applets."

That is, even assuming *arguendo* that Zerber discloses a user making a selection that results in a display of a number of applets, this does not teach or suggest transmitting the user selection. Moreover, in Zerber, one selection by the user would result in only one applet execution (col. 3, lines 23 to 29). In other words, Zerber does not teach or suggest transmitting a user selection of a number of applets. In Zerber, the application transmits one user selection at a time, and does not teach or suggest the user making a selection of a number of applets, and the

application simultaneously transmitting this selection of multiple applets. For at least these

reasons, Applicant respectfully submits that Zerber does not anticipate claim 46.

Claims 10-12, 14, 24-26, 28, 38-40, 42 and 47-56

Consequently, claims 10-12, 14, 24-26, 28, 38-40, 42, and 47-56 are not anticipated by

Zerber, at least by virtue of their dependency from the independent claims discussed above.

III. Claim Rejections under 35 U.S.C. § 103

Claims 3-9, 13, 18-23, 27, 31-37, and 41 stand rejected under 35 U.S.C. § 103(a).

Applicant respectfully traverses this rejection.

Claims 3-9, 18-23 and 31-37

Claims 3-9, 18-23, and 31-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable

over Zerber and U.S. Patent No. 5,561,757 to Southgate (hereinafter "Southgate"). It is

respectfully submitted that Southgate fails to cure the deficiencies of Zerber discussed above for

claims 1, 15, and 29, and accordingly, claims 3-9, 18-23, and 31-37 are patentable over the

asserted combination, of Zerber and Southgate, at least by virtue of their dependency from the

independent claims discussed above.

Claims 13, 27, and 41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

Zerber in view of "Swing Tool Set" (hereinafter "STS"). Regarding claims 13, 27, and 41,

which depend on claims 1, 15, and 29, respectively, it is respectfully submitted that STS fails to

cure the deficiencies of Zerber discussed above. Therefore, claims 13, 27, and 41 are patentable

at least by virtue of their dependency on claims 1, 15, and 29, respectively.

In addition, with respect to claims 13, 27, and 41, the Examiner fails to establish a *prima facie* case of obviousness by providing a reasonable suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference (*see* MPEP § 2143).

The Federal Circuit has noted that the USPTO is held to a rigorous standard when trying to show that an invention would have been obvious in view of the combination of two or more references. According to the Federal Circuit, "the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references" (*see In re Sang Su Lee*, 61 USPQ2d 1433 (Fed. Cir. 2002), *citing, e.g., In re Dembiczak*, 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999)).

Applicant respectfully submits that the current grounds of rejection do not satisfy the Federal Circuit's standard for demonstrating that the claimed invention would have been obvious in view of the combination of Zerber and STS. Specifically, the Examiner alleges that STS discloses using JInternal frames to represent objects such as windows in desktop environments and that one of ordinary skill in the art would learn from STS how to implement the applets using JInternal frames (see page 5 of the Office Action). Applicant respectfully submits that the Examiner fails to identify any motivation for implementing Zerber's applets using JInternal frames. Zerber relates to inter-applet communication within a web browser, whereas STS merely describes the JInternal Frame construct to allow one applet to correspond to multiple documents (STS: page 10).

Moreover, the rejections exhibit exercising impermissible hindsight in an attempt to somehow meet the unique features of the claims. The Examiner alleges that the user of the JInternal Frames for implementing applets is known and that the claims do not further distinguish a particular way of using the JInternal Frames with applets (see page 6 of the Office Action). Applicant respectfully submits that STS discloses the JInternal Frame for objects only and not for applets. That is, there is no suggestion or motivation in the prior art to use the JInternal Frame with applets as opposed to objects.

It is respectfully submitted that one of ordinary skill in the art confronted with a problem of inter-applet communication would not have turned to STS. Thus, Applicant respectfully submits that, contrary to the Examiner's allegations, it would not have been obvious to one of ordinary skill in the art, at the time of the invention, to combine Zerber and STS. For at least these additional reasons, Applicant respectfully submits that claims 13, 27, and 41 are clearly patentable over the asserted Zerber and STS combination.

IV.   Incomplete Office Action

Applicant respectfully requests the Examiner to address all the claims pending in the application including claims 2, 16, 17, and 30. In every Office Action, each pending claim should be mentioned by number, and its treatment or status given. MPEP § 707.07(i). However, claims 2, 16, 17, and 30 were not mentioned or addressed in the body of the Office Action dated February 8, 2005.

Accordingly, since claims 2, 16, 17, and 30 are not rejected, Applicant understands that the Examiner will allow those claims if amended to include all the limitations of the

corresponding independent claim and any intervening claims. Applicant respectfully requests

that the Examiner confirm in the next office paper that those claims recite patentable subject

matter.

V.   New Claims

Applicant adds claims 57-60. Claim 57 is patentable at least by virtue of its recitation of

"dynamically selecting by a user a plurality of applets; loading the dynamically selected plurality

of applets into the main applet." Claim 57 is clearly supported throughout the specification, *e.g.*

¶¶ 46-48 of the specification.

In Zerber, one applet for each type of function is provided (col. 3, lines 20 to 28). In

Zerber, all of the pages that may be opened and all of the applets that could be executed have to

be known at the time of installation. That is, Zerber discloses an application program where all

the web pages and the respective applets to be executed are predetermined. Zerber does not

teach or suggest executing any applet by loading it into the applet viewer, for example. In short,

Zerber fails to teach or suggest dynamically selecting and loading the selected applet into the

main applet, as set forth in claim 57.

Claims 58-60 are patentable at least by virtue of their dependency from claim 57.

VI.   Conclusion and request for telephone interview

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue, the Examiner

is kindly requested to contact the undersigned attorney at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Appln. No. 09/747,063
Attorney Docket No.: A8063

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Entry and consideration of this Amendment is respectfully requested.

Respectfully submitted,

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Date: May 9, 2005

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21